IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MRS. JUSTICE K.HEMA

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

WP(C).No. 31866 of 2007(S)

PETITIONER:

MOIDEEN, S/O MOHAMMED,
MUDIPPURATH VEEDU, CHEKKODE MILL,
ANAKKARA P.O., OTTAPPALAM,
PRESIDENT "MASJID TAKHWA",
KUMARANELLUR, CHEKKODE.

BY ADV. SRI.M.HARISHARMA

RESPONDENTS:
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1. **ABOOBACKER HAJI, S/O KUNJAVU,**
   KUNNAMPADATH VEEDU, ANAKKARA P.O.,
   OTTAPPALAM.

2. **KERALA STATE WAKF BOARD,**
   V.I.P.ROAD, KALOOR,
   REP. BY ITS CHIEF EXECUTIVE OFFICER.

3. **CHEKKODE MAHAL COMMITTEE,**
   ANAKKARA P.O., OTTAPPALAM,
   REP. BY ITS SECRETARY.

R1 BY ADV. SRI.C.KHALID
R2 SRI.P.A.ABDUL JABBAR, SC, WAKF BOARD
SRI.N.GOPINATHA PANICKER
SRI.R.O.MUHAMED SHEMEEM
SRI.T.P.SAJID
SMT.M.A.SULFIA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

WPC.NO.31866/2007 S

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE PLAINT IN WOS 8/2007.

EXT.P2: COPY OF THE UNDATED NOTICE ISSUED BY THE 3RD RESPONDENT.

EXT.P3: COPY OF THE WRITTEN STATEMENT FILED BY THE 2ND RESPONDENT IN WOS 12/04.

EXT.P4: COPY OF THE WRITTEN STATEMENT FILED BY THE 1ST DEFENDANT IN WOS 8/2007.

EXT.P5: COPY OF THE SAID PETITION HAVING NUMBER I.A.235(a)/2007 IN WO(S) 8/2007 FILED BY THE 1ST RESPONDENT DTD. 16/10/07.

EXT.P6: COPY OF THE ORDER PASSED BY THE COURT BELOW IN WP(S) 8/2007, DTD. 16/10/2007.

/TRUE COPY/

P.S.TO JUDGE

KSS

J.B. KOSHY & K.HEMA, JJ.

W.P. (C) No.31866 of 2007 S

Dated this the 23rd day of November, 2007

Judgment

Koshy,J.

Contention of the petitioner is that photostat copy of the passport was marked without considering the admissibility. We dispose of the writ petition directing the Wakf Tribunal to consider the admissibility also at the time of hearing.

The writ petition is disposed of.

J.B.KOSHY
JUDGE

K. HEMA
JUDGE

vaa

J.B. KOSHY AND
K.HEMA,JJ.

M.F.A. No. of 2002

Judgment

Dated:23rd November, 2007